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OFFICE OF THE COUNTY AUDITOR INTEROFFICE MEMORANDUM

TO: All Council Members
FROM: Lauren M. Smelkinson, County Auditor
DATE: February 13, 2018
SUBJECT: Addendum to Council Meeting Notes

Please find attached an addendum (FM-4) to the Council Meeting Notes issued February 8, 2018. This item will be discussed at the February 13, 2018 work session for the February 20, 2018 Council meeting.

Attachment

cc: notes distribution list

FM-4 (Contract)

Council District(s) All

Office of Budget and Finance

Maintenance of Ball Diamonds and Mowing Services

The Administration is requesting approval of a contract with Lorenz, Inc. to provide athletic field maintenance and mowing services at various sites (athletic fields, parks, and other County-owned property) throughout Baltimore County. The contract commenced February 1, 2018, continues through April 30, 2018, and may not exceed \$25,000 unless approved by the Council. If approved, the contract will continue through November 30, 2018 and will automatically renew for four additional 1-year periods with the option to further extend the initial term or any renewal term an additional 90 days. The contract does not specify a maximum compensation for the initial 10-month term. Compensation paid to the contractor, together with all other contractors awarded a contract under the same bid solicitation, may not exceed \$16,406,233 for the entire 5-year and 1-month term, including the renewal and extension periods.

Fiscal Summary

Funding Source	Combined Maximum Compensation	Notes
County ⁽¹⁾	\$ 16,406,233	⁽¹⁾ General Fund Operating Budget. ⁽²⁾ Maximum compensation for all contractors combined for the entire 5-year and 1-month term, including the renewal and extension periods. The contract does not specify a maximum compensation for the initial 10-month term.
State	--	
Federal	--	
Other	--	
Total	<u>\$ 16,406,233</u> ⁽²⁾	

Analysis

The contractor will provide all labor, materials, tools, equipment, and supervision for mowing services and maintenance of athletic fields, parks, and other County-owned properties throughout the County. Ball diamonds will be groomed every 7 to 10 days at a cost of \$85.63 per ball diamond. Other sites will be mowed every 7 to 10 days (180 sites) at unit prices ranging from \$49.00 (Carroll Manor Park – 4.9 acres) to \$1,367.10 (Oregon Ridge Park – 130.2 acres) or 4 times per year (12 sites) at unit prices ranging from \$110.50 (Cloverland Park Site – 3.4

acres) to \$4,077.00 (Cromwell Valley Park – 135.9 acres) depending on the size of the site. The contract provides that trash, paper, glass, and debris shall be picked up and bagged prior to mowing. Grooming includes edging and trimming. The County may add or delete sites as necessary.

The Office advised that Lorenz, Inc. will serve as the primary contractor, and both Classic Lawn & Landscape and Ruppert Landscape, Inc. will serve as secondary contractors; the Office expects to present the two secondary contracts for Council approval on April 2, 2018. The contract provides that the secondary contractors will be called only when, and if, the primary contractor is unable to perform the assigned work due to the full use of its crews in the performance of work under this contract or due to default.

The contract commenced February 1, 2018, continues through April 30, 2018, and may not exceed \$25,000 unless approved by the Council. If approved, the contract will continue through November 30, 2018 and will automatically renew for four additional 1-year periods with the option to further extend the initial term or any renewal term an additional 90 days on the same terms and conditions, unless the County provides notice of non-renewal. The contract does not specify a maximum compensation for the initial 10-month term. Compensation paid to the contractor, together with all other contractors awarded a contract under the same bid solicitation, may not exceed \$16,406,233 for the entire 5-year and 1-month term, including the renewal and extension periods.

Prior to the commencement of each renewal period, the County may entertain a request for an escalation in unit prices in accordance with the Consumer Price Index – All Urban Consumers – United States Average – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request, or up to a maximum 5% increase on the current pricing, whichever is lower. The County may terminate the agreement by providing 30 days prior written notice.

The County awarded the contract through a competitive procurement process based on low bid from three bids received. The two other bidders will serve as the secondary contractors.

On May 24, 2012, the Council approved two similar approximate 5-year and 3-month contracts (which commenced April 10, 2012) with Lorenz, Inc. and Bartenfelder Landscaping Services, Inc. not to exceed \$12,806,591 for both contracts combined. On March 20, 2017, the Council approved an amendment to the contract with Lorenz, Inc. to extend the term of the agreement

by 5 months (through November 30, 2017). The Office previously advised that it also offered a 5-month extension to Bartenfelder Landscaping Services, Inc.; however, the contractor chose not to extend its agreement. According to the County's financial system, expenditures under both contracts totaled \$4,762,076, including \$4,710,148 to Lorenz, Inc. and \$51,928 to Bartenfelder Landscaping Services, Inc. The Office advised that the amount expended under the prior contract was significantly less than the not-to-exceed amount because the contract was not fully executed in its early stages. The Office also advised that the proposed contract reflects a significantly higher not-to-exceed amount because costs have increased. For example, the rate to groom a ball diamond has increased from \$41.25 to \$85.63. Additionally, the proposed contract reflects 8 more sites (twenty 7-day mowing cycle sites were added and twelve 14-day mowing cycle sites were removed). The Office advised that the 14-day mowing cycle sites will be serviced by new 14-day mowing contracts; the Office plans to submit the contracts for Council approval on the March 5, 2018 agenda. The Office further advised that it decided to award one primary contract and two secondary contracts rather than two primary contracts because of the need for consistent service throughout the County.

The County currently has 12 contracts with Lorenz, Inc., 9 of which will expire by March 31, 2018 (e.g., contracts for mowing and landscaping services at Double Rock, Inwood, Texas, Sparrows Point clusters and Towson, Dundalk, and Westside streetscapes). The Office advised that these contracts were recently put out to bid and it plans to submit the resulting awarded contracts for Council approval on the March 5, 2018 agenda. The County's three other contracts with Lorenz, Inc. provide mowing services for highway medians, roadsides, and roundabouts (expires February 28, 2022); on-call landscaping services (expires February 28, 2021); and on-call maintenance and repair of natural turf fields (expires February 28, 2021). According to the County's financial system, as of February 8, 2018, expenditures for the 12 contracts totaled \$1,704,438.

On January 12, 2018, the Administration entered into a non-competitively bid emergency contract totaling \$64,228 with Ruppert Landscape, Inc. (correspondence item MB-1(a) on this agenda) to repair 13 baseball diamonds rendered unplayable due to severe lipping conditions (bumps that form where the dirt meets the grass). The Administration advised that the sites needed to be addressed immediately to ensure playable conditions by March 2018. The Office advised that Ruppert Landscape, Inc. was solicited to perform the work after Lorenz, Inc. and Classic Lawn & Landscape Inc., the County's on-call contractors for the maintenance and repair of natural turf fields, indicated they could not handle the additional sites.

Additionally, the Office advised that County employees still are responsible for grass mowing. See Exhibit A for a list of the agencies responsible for mowing and athletic field maintenance at school facilities, by area of responsibility.

County Charter, Section 715, requires that "any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year...."

Maintenance at School Facilities

Baltimore County Property Management (PM) works with the Baltimore County Public Schools (BCPS) and Baltimore County Bureau of Solid Waste (SW) to maintain school-recreation centers throughout the county. Each organization is responsible for specific maintenance functions on the school grounds, recreation offices and activity rooms as noted below.

If you have questions or concerns about the maintenance or repair of any of the items on this list, please contact the noted agency:

- For BCPS responsibilities call the BCPS [Department of Facilities Management](#) at 410-887-6435.
- For Baltimore County Property Management responsibilities contact the constituent services section at propmngt-constituentservices@baltimorecountymd.gov or 410-887-3827.
- For outdoor trash issues please contact Baltimore County Bureau of Solid Waste at 410-887-2000 or solidwaste@baltimorecountymd.gov.

Area of Responsibility	Elementary Schools	Middle Schools	High Schools
Ball Diamonds			
Maintain	PM	BCPS	BCPS
Supply ball diamond mix (dirt)	PM	BCPS	BCPS
Backstops	PM	BCPS	BCPS
Player benches	PM	BCPS	BCPS
Hose bib outlets	PM	BCPS	BCPS
Athletic Field Lighting Systems			
Grass Fields	PM	PM	BCPS
Artificial Turf Fields	PM	PM	PM
Multi-Use Courts			
Backboards	PM	BCPS	BCPS
Rims	PM	BCPS	BCPS
Basketball nets	PM	BCPS	BCPS
Fencing	PM	BCPS	BCPS
Court lines	PM	BCPS	BCPS
Re-surface and re-build	PM	BCPS	BCPS
Pole lighting	PM	BCPS	BCPS
Tennis Courts			
Net supports	PM	BCPS	BCPS
Nets	PM	BCPS	BCPS
Fencing	PM	BCPS	BCPS
Court lines	PM	BCPS	BCPS
Re-surface and re-build	PM	BCPS	BCPS
Pole lighting	PM	BCPS	BCPS
Bleachers (portable)			
Movement and placement	PM	PM	PM
Repairs	PM	PM	PM
Materials	PM	PM	PM
Bleachers (stationary)	BCPS	BCPS	BCPS
Water Fountains			
Not attached to buildings	PM	PM	PM
Attached to buildings	BCPS	BCPS	BCPS
Trash			
Playing Fields	SW	SW	SW
Multi purpose and tennis courts (barrels only)	SW	SW	SW
Playgrounds (barrels only)	SW	SW	SW
School grounds in general	BCPS	BCPS	BCPS
Grass mowing	BCPS	BCPS	BCPS
Playground Structures			
Maintain and repair	BCPS	BCPS	BCPS
Filling and maintaining base material	BCPS	BCPS	BCPS
Recreation Offices and Activity Rooms			
Windows, doors and locks	PM with BCPS approval	PM with BCPS approval	PM with BCPS approval
Floors and ceilings	PM with BCPS approval	PM with BCPS approval	PM with BCPS approval
HVAC—self contained	PM with BCPS approval	PM with BCPS approval	PM with BCPS approval
HVAC—part of overall system	BCPS	BCPS	BCPS

Prepared by: Office of Budget and Finance